**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

STEVE WEINBERG **Plaintiff,** **v.** **NATIONAL FOOTBALL LEAGUE PLAYERS ASSOCIATION, RICHARD BERTHELSEN, GENE UPSHAW, TOM DEPASO, TRACE ARMSTRONG, ROGER KAPLAN, JOHN COLLINS, KEITH WASHINGTON, TONY AGNONE, HOWARD SHATSKY, and MARK LEVIN** **Defendants.**	§ § § § § § § § § § § § § § § § §	**CIVIL ACTION NO. 3:06-CV-2332-B ECF**

DEFENDANT ROGER KAPLAN'S EXPEDITED AGREED MOTION TO EXTEND DEADLINE TO FILE REPLY TO PLAINTIFF STEVE WEINBERG'S RESPONSE TO KAPLAN'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendant Roger Kaplan ("Kaplan") hereby files his reply Expedited Agreed Motion to Extend Deadline to File Response to Plaintiff Steve Weinberg's Response to Kaplan's Motion to Dismiss for Lack of Personal Jurisdiction. Kaplan moves for an extension of time until March 5, 2007 to file his Reply Brief. In support of his Motion, Defendant Roger Kaplan states as follows:

1. Defendant Kaplan filed his Motion to Dismiss for Lack of Jurisdiction on December 27, 2006;

2. Plaintiff Weinberg filed his response to the Motion to Dismiss on February 1, 2007, after having been granted additional time by Kaplan to file his response;

Dockets.Justia.com

3. Defendant Kaplan's reply brief is due to be filed on or before Thursday, February 15, 2007;

4. Plaintiff Weinberg's response is quite lengthy, and includes citations to many cases which must be reviewed before a reply brief may be filed. In addition, extensive research will be needed to file a substantive reply to Weinberg's response;

5. Kaplan's counsel had previously scheduled arbitration hearings out of Dallas for February 12-14; consequently, there is not sufficient time to permit Kaplan's counsel to do the research necessary to file a substantive reply by February 15. Kaplan's counsel will also be out of town on February 22-25.

6. Kaplan's counsel received a voice message from Bart Higgins, counsel for Plaintiff Weinberg, who advised that Plaintiff does not object to the Court's entering an order granting Kaplan until March 5, 2007, to file his reply brief.

WHEREFORE, Defendant Roger Kaplan prays that the Court enter an order extending his time to file a reply to Plaintiff's Response to Defendant Kaplan's Motion to Dismiss to March 5, 2007.

Respectfully submitted,

HUNTON & WILLIAMS LLP

By: G. Allen Butler / w/ permission ASM
Allen Butler, SBN 03519000

1601 Bryan Street, 30th Floor
Dallas, Texas 75201-3402
214.979.3000
214.979.3908 (fax)

ATTORNEYS FOR DEFENDANT
ROGER P. KAPLAN

CERTIFICATE OF CONFERENCE

I certify that on **February 8, 2007,** I received a voice message from Bart Higgins, counsel for Plaintiff, stating that Plaintiff did not oppose Defendant Kaplan's motion for an extension of time.

G. Allen Butler / w/ permission ASW

Allen Butler

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 12TH day of February 2007, true and correct copies of the foregoing *Defendant Roger Kaplan's Expedited Agreed Motion to Extend Deadline to File Response to Plaintiff Steve Weinberg's Response to Kaplan's Motion to Dismiss for Lack of Personal Jurisdiction* were served by certified mail, return receipt requested, upon counsel for Plaintiff, Lawrence J. Friedman and Bart Higgins, FRIEDMAN & FEIGER, LLP, 5301 Spring Valley Road, Suite 200, Dallas, TX 75254 and counsel for Defendants, David Greenspan, DEWEY BALLANTINE, LLP, 1301 Avenue of the Americas, New York,, NY 10019-6092 and Ralph Miller, WEIL, GOTSHAL & MANGES LLP, 200 Crescent Court, Suite 300, Dallas, TX 75201.

G. Allen Butler / w/ permission ASW

Allen Butler